

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:
NOEL HUMBERTO MELENDEZ GONZALEZ
VILMA MARTINEZ RIVERA

DEBTOR (S)

CASE NO. 10-04816-BKT

CHAPTER 13

**TRUSTEE'S UNFAVORABLE REPORT
ON PROPOSED PLAN CONFIRMATION UNDER §1325**

TO THE HONORABLE COURT: NOW COMES, José R. Carrión, Chapter 13 Trustee, and very respectfully alleges and prays:

This is the Trustee's position regarding the request, under **11 U.S.C. §1325**, for the confirmation of a Chapter 13 Plan.

Debtor(s)' Income: **Under Median / 36 months commitment period.**

Gen Unsecured Pool: **\$0.00**

The **LIQUIDATION VALUE** of the estate has been determined in **\$0.00**

R2016 STM. \$3,000.00

TOTAL ATTORNEYS FEES THRU PLAN: \$3,000.00 Fees paid: \$0.00 Fees Outstanding: \$3,000.00
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With respect to the proposed (amended) Plan dated: **September 01, 2010** (Dkt 25).

Plan Base: **9,000.00**

The proposed (amended) plan can not be confirmed because it has the following deficiencies:

- Feasibility [§1325(a)(6)]

Rule 2016 disclosure of compensation for attorney and plan are incongruent. Debtor must submit "deed of donation" of hereditary interest to her mother. Information is needed to determine the liquidation value of the case.

- Feasibility [§1325(a)(5)]: Plan fails to provide for an allowed secured claim.

Fails to provide for the payment of arrears for RG Mortgage in the amount of \$1,455.70 POC no. 1, No porvsionfor CRIM secured portion in the amount of \$669.54 POC no. 8.

- Other/Comments

Due to the above described deficiencies in the proposed plan the Trustee Objects to the Confirmation of the same.

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(s), and to her/his/their attorney through CM-ECF notification system.

In San Juan, Puerto Rico this November 18, 2010.

/s/ Jose R. Carrion

/s/ Juliel Perez -Staff Attorney

JOSE R. CARRION
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